

think we are stuck with who is and who is not needy because we are operating welfare programs in this state and we have been operating welfare programs in this state really since 1866 when we adopted our very first welfare law, that was the General Assistance Program, but we have been operating them at a much higher level since the depression when the Federal Government came in and that created the aid to the Aged, Blind and Disabled Program and the Aid to Families with Dependent Children Program and both of those programs are need based programs. Both of those programs require states to fix eligibility in payments on need and neediness. Now Nebraska has been an active participant in those programs since the 1930's and I don't see Nebraska likely to move out of the programs. One of the things in the packet of your material is a United States Supreme Court case called *Rosado v. Wyman* and *Rosado v. Wyman* specifically holds that it is up to states, it is up to states to fix their own standards of need. The Federal Government cannot compel a state to fix a standard of need but the Federal Government, according to *Rosado v. Wyman*, can at least require eligibility to be need based. So, fellow members, without any question Nebraska is married to a need based concept. What LB 35 says, it is a reasonable bill, as Senator Kahle would indicate. It is a reasonable bill. He says, you know as long as you are going to have a need based program which we have, let's find out what need is and once we have some reasonable measure, once we can take the reasonable measure of need then you and I can do with it as we see fit. Now I want to say unequivocally that this bill as amended will not cost this state \$5,000,000. This bill as amended will cost this state whatever sums of money we appropriate to conduct the study and that is it. Whatever sum of money we appropriate to conduct a study, that will be the cost. Now if the standard of need studies come back and they say, gee, our present standards of need are terribly low, and they show how they are so low, the Legislature can then if it wants to, adopt a higher standard of need. It would be the first time the Legislature has done that. It would be the first time we have ever moved in that area but we can if we want to. If we do that it may well have a cost. We will know what the cost is because we will get appropriate fiscal notes and the like and we can then act accordingly but unless we do those kind of things we always are shooting in the dark. We truly never have any way of understanding how much welfare programs actually are going to cost us and, Senator Kahle, this is my point to you specifically. I guess I have three more years here and it is my intention over the next three years to take a very hard look at all of our welfare programs.

PRESIDENT: One minute, Senator Johnson.